



Docket No.: 1901.1345

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:

Jung-hoe KIM et al.

Serial No. 10/735,894

Group Art Unit: 2626

Confirmation No. 5705

Filed: December 16, 2003

Examiner: Douglas GODBOLD

For: METHOD AND APPARATUS FOR ENCODING/DECODING AUDIO DATA WITH SCALABILITY

**PRELIMINARY AMENDMENT**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

This Preliminary Amendment is being concurrently filed with a Request for Continued Examination (RCE) and is in response to the Office Action mailed September 30, 2009, having a period for response set to expire on December 30, 2009. A Petition for a 2-month extension of time is submitted herewith thereby extending the response due date to February 28, 2010, which being a Sunday renders this response timely filed on March 1, 2010.

The following amendments and remarks are respectfully submitted. Reconsideration of the claims is respectfully requested.

03/02/2010 HVUONG1 00000072 10735894

03 FC:1252

490.00 OP